

**REMARKS**

Applicant appreciates the time taken by the Examiner to review Applicant's present application. This application has been carefully reviewed in light of the Official Action mailed June 18, 2007. Applicant respectfully requests reconsideration and favorable action in this case.

Claims 1, 15, 16 and 31-45 have been amended. No claims have been withdrawn. Claims 46-53 have been added. No new matter has been added. Therefore, claims 1-53 are pending in this Application.

**Specification Objections**

The specification stands objected to as failing to comply with 37 C.F.R. § 1.77(b). The Examiner objects to the Arrangement of the Specification. Paragraph [0004] of the specification has been replaced with amended paragraph [0004], which is in compliance with 37 C.F.R. § 1.77(b). Accordingly, withdrawal of this objection is respectfully requested.

**Rejections under 35 U.S.C. § 112**

Claims 15 and 30-45 stand rejected under 35 U.S.C. § 112, second paragraph,.

Claims 15, 30 and 45 stand rejected under 37 C.F.R. § 112, 2<sup>nd</sup> paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 15, 30 and 45 have been amended. Therefore, Applicants respectfully request the Examiner withdraw the rejection.

Claims 31-45 stand rejected under 37 C.F.R. § 112, 2<sup>nd</sup> paragraph as being indefinite as failing to have sufficient antecedent basis. Claims 31-45 have been amended. Therefore, Applicants respectfully request the Examiner withdraw the rejection.

**Rejections under 35 U.S.C. § 101**

Claims 1-45 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter for failure to produce a real world value. Applicant submits that this rejection is now moot. Accordingly, withdrawal of this rejection is respectfully requested.

**Rejections under 35 U.S.C. § 102**

Claims 1-45 stand rejected as anticipated by *Database Design for Smarties Using UML for Data Modeling* by Robert Muller ("Muller"). Applicant respectfully traverses this rejection.

M.P.E.P. § 2131 states, "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. a1987). "The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1987). Applicant respectfully submits that Muller does not disclose all the limitations of presented claims.

A review of Muller reveals a generic guide to building a relational, object-relational, or object-oriented database. The reference teaches how to use the Unified Modeling Language to implement designs for a database. Muller teaches a generic step by step approach through the design process, from requirements analysis to schema generation. It further teaches how to transform a design into a conceptual schema for relational, object-relational, and object-oriented DBMSs.

Muller does not teach a real world application of the underlying UML data modeling for complex organic and dynamic technology environment as described by the present invention. Muller does not teach expressly or inherently the application of its teachings to a varied environments which do not lend themselves to modeling, such as the many IT and corporate or other environments found throughout various organizations. These environments may be quite complex as they may be suitable to perform a variety of functions with respect to an associated organization and a therefore not readily subject to governance or modeling.

Therefore embodiments of the systems and methods claimed contemplate the application of data schema involving components, relationships, types, subtypes, categories, properties and etc. as defined in paragraphs [0037] – [0047] of the specification to model a variety of environments. Embodiments may model a complex IT environment that is not only dynamic but also organic, in that new components, relationships, properties, etc. are continually added and removed as the need arises. Muller is silent on modeling a dynamic and organic system.

Specifically, Muller fails to teach a method of modeling an environment, comprising representing at least two entities in the environment, wherein each entity is represented with a component, representing an association between the at least two components with a relationship, defining a hierarchy of the components and relationships, and querying according to specific search criteria as presented in amended independent Claims 1, 16 and 31.

Furthermore, Muller fails to teach, expressly or inherently, the utilization of a typing system to define the hierarchy of components and relationships as recited in claim 46 or a typing system further including a generic model structure to define a hierarchy of components and relationships as claimed in new claim 47.

Moreover Muller fails to teach or suggest a data structure associated with the generic data model and the data structure of the generic data model is stored utilizing a table schema and the table schema does not change with an addition of a new data structure or types of data structures as claimed in new claims 47-50.

Muller further fails to teach, expressly or inherently, wherein each of the relationships or components has a type, wherein the type is a category of the relationships or components and wherein the relationships or components type has the same properties of new claim 51; wherein the relationships or components has different values for the same properties associated with the type, claim 52; and wherein the relationship or component type further includes a subtype, wherein the subtype inherits all the properties of the relationship or component type.

Therefore with respect to Claims 1, 15, 16 and 31-45 Applicant respectfully submits that the Examiner's grounds of rejection are moot. Accordingly, withdrawal of rejection of independent claims 1, 16 and 31 is respectfully requested.

With respect to claims 2-15, 17-30 and 32-45 which depend from independent claims 1, 16 and 31, respectively, Applicants respectfully request withdrawal of the rejection at least based on their dependency from the amended independent base claims.


Conclusion

Applicant has now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include an acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-53. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge the one month extension fee, and any other applicable fees, or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

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